

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

IN RE NEW ENGLAND COMPOUNDING
PHARMACY, INC. PRODUCTS
LIABILITY LITIGATION

THIS DOCUMENT RELATES TO:

All Cases

MDL No. 2419
Dkt. No 1:13-md-2419 (RWZ)

NOTICE OF FILING OF AMENDED NOTICES OF DEPOSITION BY WRITTEN
QUESTIONS

Pursuant to Fed. R. Civ. P. 31, Box Hill Surgery Center, LLC, Ritu T. Bhambani, MD, and Ritu T. Bhambani, MD, LLC (Hereinafter "Box Hill") give notice to the Court and to all parties of the filing of the following:

1. Amended Notice of Deposition by Written Questions to Annapolis Surgery Center ¹
2. Amended Notice of Deposition by Written Questions to Hunter Holmes McGuire VA Medical Center ²
3. Amended Notice of Deposition by Written Questions to East Tennessee Children's Hospital³
4. Amended Notice of Deposition by Written Questions to James E. Davis Ambulatory Surgery Center (Duke University)⁴

¹ Exhibit 1.

² Exhibit 2.

³ Exhibit 3.

⁴ Exhibit 4.

5. Amended Notice of Deposition by Written Questions to Erlanger Health Systems⁵
6. Amended Notice of Deposition by Written Questions to Peninsula Orthopaedic Associates, PA⁶
7. Amended Notice of Deposition by Written Questions to Premier Orthopedics & Sports Medicine⁷
8. Amended Notice of Deposition by Written Questions to Cumberland Valley Surgery Center⁸

Respectfully submitted,

/s/ Gregory K. Kirby

Gregory K. Kirby
Pessin Katz Law, PA
901 Dulaney Valley Road
Suite 400
Towson, MD 21204
(410) 938-8800
gkirby@pklaw.com

Attorneys for Box Hill Surgery Center, LLC, Ritu T. Bhambani, MD, and Ritu T. Bhambani, MD, LLC

CERTIFICATE OF SERVICE

I, Gregory K. Kirby, hereby certify that a copy of the forgoing document, filed through the CM/ECF system will be accessible to those attorneys who are registered with the Court's electronic filing system, including the attorneys representing the Plaintiffs in suits against Box Hill, and Notice of Electronic Filing (NEF) will be sent to those parties by operation of CM/ECF system on February 17, 2016.

/s/ Gregory K. Kirby

Gregory K. Kirby

⁵ Exhibit 5.

⁶ Exhibit 6.

⁷ Exhibit 7.

⁸ Exhibit 8.

EXHIBIT 1

AMENDED NOTICE OF DEPOSITION
BY WRITTEN QUESTIONS TO
ANNAPOLIS SURGERY CENTER

Respectfully submitted,

/s/ Gregory K. Kirby

Gregory K. Kirby
Pessin Katz Law, PA
901 Dulaney Valley Road
Suite 400
Towson, MD 21204
(410) 938-8800
gkirby@pklaw.com

*Attorneys for Box Hill Surgery Center, LLC, Ritu
T. Bhambani, MD, and Ritu T. Bhambani, MD,
LLC*

CERTIFICATE OF SERVICE

I, Gregory K. Kirby, hereby certify that:

1. A copy of the forgoing document, filed through the CM/ECF system will be accessible to those attorneys who are registered with the Court's electronic filing system, including the attorneys representing the Plaintiffs in suits against Box Hill
2. Notice of Electronic Filing (NEF) will be sent to those parties by operation of CM/ECF system
3. A copy of the document will be served by U.S. Mail to Annapolis Surgery Center, 2629 Riva Road, Suite 106, Annapolis, MD 21401

on February 17, 2016.

/s/ Gregory K. Kirby

Gregory K. Kirby

EXHIBIT 2

AMENDED NOTICE OF DEPOSITION
BY WRITTEN QUESTIONS TO HUNTER
HOLMES McGUIRE VA MEDICAL
CENTER

Respectfully submitted,

/s/ Gregory K. Kirby

Gregory K. Kirby
Pessin Katz Law, PA
901 Dulaney Valley Road
Suite 400
Towson, MD 21204
(410) 938-8800
gkirby@pklaw.com

*Attorneys for Box Hill Surgery Center, LLC, Ritu
T. Bhambani, MD, and Ritu T. Bhambani, MD,
LLC*

CERTIFICATE OF SERVICE

I, Gregory K. Kirby, hereby certify that:

1. A copy of the forgoing document, filed through the CM/ECF system will be accessible to those attorneys who are registered with the Court's electronic filing system, including the attorneys representing the Plaintiffs in suits against Box Hill
2. Notice of Electronic Filing (NEF) will be sent to those parties by operation of CM/ECF system
3. A copy of the document will be served by U.S. Mail to Hunter Holmes McGuire VA Medical Center, 1201 Broad Rock Blvd., Richmond, VA 23249

on February 17, 2016.

/s/ Gregory K. Kirby

Gregory K. Kirby

EXHIBIT 3

AMENDED NOTICE OF DEPOSITION
BY WRITTEN QUESTIONS TO EAST
TENNESSEE CHILDREN'S HOSPITAL

The deponent will testify before a court reporter from Discovery Litigation Services at East Tennessee Children's Hospital, 2018 Clinch Avenue, Knoxville, TN 37916 on **March 9, 2016 at 10:00 AM EST**. The deposition will be recorded by video and stenographical means.

Respectfully submitted,

/s/ Gregory K. Kirby

Gregory K. Kirby
Pessin Katz Law, PA
901 Dulaney Valley Road
Suite 400
Towson, MD 21204
(410) 938-8800
gkirby@pklaw.com

*Attorneys for Box Hill Surgery Center, LLC, Ritu
T. Bhambani, MD, and Ritu T. Bhambani, MD,
LLC*

CERTIFICATE OF SERVICE

I, Gregory K. Kirby, hereby certify that:

1. A copy of the forgoing document, filed through the CM/ECF system will be accessible to those attorneys who are registered with the Court's electronic filing system, including the attorneys representing the Plaintiffs in suits against Box Hill
2. Notice of Electronic Filing (NEF) will be sent to those parties by operation of CM/ECF system
3. A copy of the document will be served by U.S. Mail to East Tennessee Children's Hospital, 2018 Clinch Avenue, Knoxville, TN 37916

on February 17, 2016.

/s/ Gregory K. Kirby

Gregory K. Kirby

EXHIBIT 4

AMEDNED NOTICE OF DEPOSITION
BY WRITTEN QUESTIONS TO JAMES
E. DAVIS AMBULATORY SURGERY
CENTER
(DUKE UNIVERSITY)

Respectfully submitted,

/s/ Gregory K. Kirby

Gregory K. Kirby
Pessin Katz Law, PA
901 Dulaney Valley Road
Suite 400
Towson, MD 21204
(410) 938-8800
gkirby@pklaw.com

*Attorneys for Box Hill Surgery Center, LLC, Ritu
T. Bhambani, MD, and Ritu T. Bhambani, MD,
LLC*

CERTIFICATE OF SERVICE

I, Gregory K. Kirby, hereby certify that:

1. A copy of the forgoing document, filed through the CM/ECF system will be accessible to those attorneys who are registered with the Court's electronic filing system, including the attorneys representing the Plaintiffs in suits against Box Hill
2. Notice of Electronic Filing (NEF) will be sent to those parties by operation of CM/ECF system
3. A copy of the document will be served by U.S. Mail to James E. Davis Ambulatory Surgical Center (Duke University), 120 E. Carver Street, Durham, NC 27704

on February 17, 2016.

/s/ Gregory K. Kirby

Gregory K. Kirby

EXHIBIT 5

AMENDED NOTICE OF DEPOSITION
BY WRITTEN QUESTIONS TO
ERLANGER HEALTH SYSTEM

Respectfully submitted,

/s/ Gregory K. Kirby

Gregory K. Kirby
Pessin Katz Law, PA
901 Dulaney Valley Road
Suite 400
Towson, MD 21204
(410) 938-8800
gkirby@pklaw.com

*Attorneys for Box Hill Surgery Center, LLC, Ritu
T. Bhambani, MD, and Ritu T. Bhambani, MD,
LLC*

CERTIFICATE OF SERVICE

I, Gregory K. Kirby, hereby certify that:

1. A copy of the forgoing document, filed through the CM/ECF system will be accessible to those attorneys who are registered with the Court's electronic filing system, including the attorneys representing the Plaintiffs in suits against Box Hill
2. Notice of Electronic Filing (NEF) will be sent to those parties by operation of CM/ECF system
3. A copy of the document will be served by U.S. Mail to Cara E. Weiner, Esquire, Spears, Moore, Rebman & Williams, PC, 801 Broad Street, 6th Floor, Chattanooga, TN 37401

on February 16, 2016.

/s/ Gregory K. Kirby

Gregory K. Kirby

EXHIBIT 6

AMENDED NOTICE OF DEPOSITION
BY WRITTEN QUESTIONS TO
PENINSULA ORTHOPAEDIC
ASSOCIATES, PA
("POA")

**UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS**

IN RE NEW ENGLAND COMPOUNDING
PHARMACY, INC. PRODUCTS
LIABILITY LITIGATION

—

THIS DOCUMENT RELATES TO:

All Cases

MDL No. 2419
Dkt. No 1:13-md-2419 (RWZ)

AMENDED NOTICE OF 30(B)(6) DEPOSITION BY WRITTEN QUESTIONS

Defendants Box Hill Surgery Center, LLC, Ritu T. Bhambani, MD, and Ritu T. Bhambani, MD, LLC (Hereinafter “Box Hill”), pursuant to Fed. R. Civ. P. 31 and 30(b)(6), come now and give notice that the deposition of Peninsula Orthopaedic Associates, P.A., as an organization, will be taken by written questions.

Pursuant to Fed. R. Civ. P. 30(b)(6) and 31(a)(4), Peninsula Orthopaedic Associates, P.A. shall designate a witness to testify regarding the written questions included with this notice, and any cross questions, redirect questions, or recross questions submitted in accordance with Fed. R. Civ. P. 31(a)(5).

The deponent will testify before a court reporter from Discovery Litigation Services at Katten Muchin Rosenman, LLP, 2900 K Street, NW, North Tower, Suite 200, Washington, DC 20007-5118 on February 24, 2016 at 2:00 PM. The deposition will be recorded by video and stenographical means.

Respectfully submitted,

/s/ Gregory K. Kirby

Gregory K. Kirby
Pessin Katz Law, PA
901 Dulaney Valley Road
Suite 400
Towson, MD 21204
(410) 938-8800
gkirby@pklaw.com

*Attorneys for Box Hill Surgery Center, LLC, Ritu
T. Bhambani, MD, and Ritu T. Bhambani, MD,
LLC*

CERTIFICATE OF SERVICE

I, Gregory K. Kirby, hereby certify that:

1. A copy of the forgoing document, filed through the CM/ECF system will be accessible to those attorneys who are registered with the Court's electronic filing system, including the attorneys representing the Plaintiffs in suits against Box Hill
2. Notice of Electronic Filing (NEF) will be sent to those parties by operation of CM/ECF system
3. A copy of the document will be served by U.S. Mail to David Rohrbach, Esquire, Katten Muchin Rosenman, LLP, 2900 K Street, North Tower, Suite 200, Washington, DC 20007-5118.

on February 17, 2016.

/s/ Gregory K. Kirby

Gregory K. Kirby

EXHIBIT 7

AMENDED NOTICE OF DEPOSITION
BY WRITTEN QUESTIONS TO
PREMIER ORTHOPEDICS & SPORTS
MEDICINE

Respectfully submitted,

/s/ Gregory K. Kirby

Gregory K. Kirby
Pessin Katz Law, PA
901 Dulaney Valley Road
Suite 400
Towson, MD 21204
(410) 938-8800
gkirby@pklaw.com

*Attorneys for Box Hill Surgery Center, LLC, Ritu
T. Bhambani, MD, and Ritu T. Bhambani, MD,
LLC*

CERTIFICATE OF SERVICE

I, Gregory K. Kirby, hereby certify that:

1. A copy of the forgoing document, filed through the CM/ECF system will be accessible to those attorneys who are registered with the Court's electronic filing system, including the attorneys representing the Plaintiffs in suits against Box Hill
2. Notice of Electronic Filing (NEF) will be sent to those parties by operation of CM/ECF system
3. A copy of the document will be served by U.S. Mail Amy Rao Mohan, Esquire, Sherrard & Roe, PLC, 150 3rd Avenue South, Suite 1100, Nashville, TN 37201

on February 17, 2016.

/s/ Gregory K. Kirby

Gregory K. Kirby

EXHIBIT 8

AMENDED NOTICE OF DEPOSITION
BY WRITTEN QUESTIONS TO
CUMBERLAND VALLEY SURGERY
CENTER
("CVSC")

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

IN RE NEW ENGLAND COMPOUNDING
PHARMACY, INC. PRODUCTS
LIABILITY LITIGATION

—

THIS DOCUMENT RELATES TO:

All Cases

MDL No. 2419
Dkt. No 1:13-md-2419 (RWZ)

AMENDED NOTICE OF 30(B)(6) DEPOSITION BY WRITTEN QUESTIONS

Defendants Box Hill Surgery Center, LLC, Ritu T. Bhambani, MD, and Ritu T. Bhambani, MD, LLC (Hereinafter “Box Hill”), pursuant to Fed. R. Civ. P. 31 and 30(b)(6), come now and give notice that the deposition of Cumberland Valley Surgery Center, as an organization, will be taken by written questions.

Pursuant to Fed. R. Civ. P. 30(b)(6) and 31(a)(4), Cumberland Valley Surgery Center shall designate a witness to testify regarding the written questions included with this notice, and any cross questions, redirect questions, or recross questions submitted in accordance with Fed. R. Civ. P. 31(a)(5).

The deponent will testify before a court reporter from Discovery Litigation Services at Cumberland Valley Surgery Center, 1110 Professional Court, #100, Hagerstown, Maryland 21740 on **February 25, 2016 at 10:00AM**. The deposition will be recorded by video and stenographical means.

Respectfully submitted,

/s/ Gregory K. Kirby

Gregory K. Kirby
Pessin Katz Law, PA
901 Dulaney Valley Road
Suite 400
Towson, MD 21204
(410) 938-8800
gkirby@pklaw.com

*Attorneys for Box Hill Surgery Center, LLC, Ritu
T. Bhambani, MD, and Ritu T. Bhambani, MD,
LLC*

CERTIFICATE OF SERVICE

I, Gregory K. Kirby, hereby certify that:

1. A copy of the forgoing document, filed through the CM/ECF system will be accessible to those attorneys who are registered with the Court's electronic filing system, including the attorneys representing the Plaintiffs in suits against Box Hill
2. Notice of Electronic Filing (NEF) will be sent to those parties by operation of CM/ECF system
3. A copy of the document will be served by U.S. Mail to April Hitzelberger, Esquire, Waranch & Brown, LLC, 1301 York Road, Suite 300, Lutherville, Maryland 21093.

on February 17, 2016.

/s/ Gregory K. Kirby

Gregory K. Kirby